

**CHAPTER 53**  
**ELECTIONS IN REORGANIZED SCHOOL DISTRICTS**  
*S.F. 466*

**AN ACT** relating to the method of election of boards of directors of reorganized school districts.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 275.12, subsection 2, paragraph c, Code 1983, is amended to read as follows:

c. Election of not more than one-half of the total number of school directors at large from the entire district and the remaining directors from and as residents of designated single-member or multi-member director districts into which the entire school district shall be divided on the basis of population for each director. In such case, all directors shall be elected by the electors of the entire school district. Changes in the boundaries of director districts shall not be made during a period commencing sixty days prior to the date of the annual school election.

Sec. 2. Section 275.18, Code 1983, is amended to read as follows:

275.18 SPECIAL ELECTION CALLED—TIME. When the boundaries of the territory to be included in a proposed school corporation and the number and method of the election of the school directors of such the proposed school corporation have been determined as herein provided in this chapter, the area education agency administrator with whom such the petition is filed shall give written notice of the proposed date of the election to the county commissioner of elections of the county in the proposed school corporation which has the greatest taxable base therein. The proposed date shall be as soon as possible pursuant to sections 39.2, subsections 1 and 2, and 47.6, subsections 1 and 2, but not later than ~~December 31~~ November 30 of the calendar year prior to the calendar year in which the reorganization will take effect. The county commissioner of elections shall give notice of the election by one publication in the same newspaper in which previous notices have been published regarding the proposed school reorganization, and in addition thereto, if more than one county is involved, by one publication in a legal newspaper in each county other than that of the first publication, ~~which~~. The publication shall be not less than four nor more than twenty days prior to the election. ~~In the case of districts located in more than one county, no notice~~ Notice for an election shall not be published until the expiration of time for appeal, which shall be the same as that provided in section ~~285.12, has expired~~ 275.15 or 275.16, whichever is applicable; and in the event of if there is an appeal, not until the same appeal has been disposed of.

Sec. 3. Section 275.24, Code 1983, is amended to read as follows:

275.24 EFFECTIVE DATE OF CHANGE. When ~~any~~ a school district is enlarged, reorganized, or changes its boundary by the method hereinabove provided pursuant to sections 275.12 to 275.22, the effective date of such change shall be July 1 following the election of the new board or, if no new board is elected, then take effect on July 1 following the enlargement, reorganization or boundary change date of the reorganization election held pursuant to section 275.18 if the election was held by the prior November 30. Otherwise the change shall take effect on July 1 one year later.

Sec. 4. Section 275.25, Code 1983, is amended by striking the section and inserting in lieu thereof the following:

**275.25 ELECTION OF DIRECTORS.**

1. If the proposition to establish a new school district carries under the method provided in this chapter, the area education agency administrator with whom the petition was filed shall give written notice of a proposed date for a special election for directors of the newly formed school district to the commissioner of elections of the county in the district involved in the reorganization which has the greatest taxable base. The proposed date shall be as soon as possible pursuant to sections 39.2, subsections 1 and 2, and 47.6, subsections 1 and 2, but not later than the third Tuesday in January of the calendar year in which the reorganization takes effect. The election shall be conducted as provided in section 277.3, and nomination petitions shall be filed pursuant to section 277.4, except as otherwise provided in this subsection. Nomination petitions shall be filed with the secretary of the board of the existing school district in which the candidate resides, signed by not less than ten eligible electors of the newly formed district, and filed not less than thirty days prior to the date set for the special school election.

2. The number of directors of a school district is either five or seven as provided in section 275.12. In school districts that include a city of fifteen thousand or more population as shown by the most recent decennial federal census, the board shall consist of seven members elected in the manner provided in subsection 3. If it becomes necessary to increase the membership of a board, two directors shall be added according to the procedure described in section 277.23.

The county board of supervisors shall canvass the votes and the county commissioner of elections shall report the results to the area education agency administrator who shall notify the persons who are elected directors.

3. The directors who are elected to serve shall serve until their successors are elected and qualify. At the special election, the newly elected director receiving the most votes shall be elected to serve until the director's successor qualifies after the fourth regular school election date occurring after the effective date of the reorganization; the two newly elected directors receiving the next largest number of votes shall be elected to serve until the directors' successors qualify after the third regular school election date occurring after the effective date of the reorganization; and the two newly elected directors receiving the next largest number of votes shall be elected to serve until the directors' successors qualify after the second regular school election date occurring after the effective date of the reorganization. However, in districts that include all or a part of a city of fifteen thousand or more population and in districts in which the proposition to establish a new corporation provides for the election of seven directors, the three newly elected directors receiving the most votes shall be elected to serve until the directors' successors qualify after the fourth regular school election date occurring after the effective date of the reorganization.

4. The board of the newly formed district shall organize within fifteen days after the special election upon the call of the area education agency administrator. The new board shall have control of the employment of personnel for the newly formed district for the next following school year under section 275.33. Following the organization of the board of the newly formed district, the board may establish policy, organize curriculum, enter into contracts, complete planning, and take action as necessary for the efficient management of the newly formed community school district.

5. Section 49.8, subsection 4 does not permit a director to remain on the board of a school district after the effective date of a boundary change which places the director's residence outside the boundaries of the district. Vacancies caused by this occurrence on a board shall be filled in the manner provided in sections 279.6 and 279.7.

Sec. 5. Section 275.41, subsection 5, Code 1983, is amended to read as follows:

5. The boards of directors of school districts which are involved in the merger which have three or more directors who are retained, shall each designate two of the directors who are retained to serve terms that expire at the organizational meeting following the second regular school election held thereafter. All other directors who are retained shall serve terms that expire at the organizational meeting following the third regular school election held thereafter. If there is an insufficient number of board members eligible to be retained from a former school district, the board of the former school district may appoint members to fill the vacancies. A vacancy occurs if there is an insufficient number of former board members who reside in the newly-formed district or if there is an insufficient number who are willing to serve on the board of the newly-formed district.

Approved May 5, 1983

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## CHAPTER 54

### CLASS 1 AND 2 GRAIN DEALER LICENSES

S.F. 402

**AN ACT** to provide a thirty-day grace period for a class 2 grain dealer to apply for a class 1 grain dealer license.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 542.3, subsection 2, paragraph b, Code 1983, is amended to read as follows:

b. A class 2 license is required for any grain dealer not holding a class 1 license. A class 2 licensee whose purchases from producers during a fiscal year exceed a limit of two hundred fifty thousand dollars in value shall apply immediately file within thirty days of the date the limit is reached a complete application for a class 1 license. If a class 1 license is denied, the person immediately shall cease doing business as a grain dealer.

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